



# Rochester Hills

## Minutes

### Historic Districts Commission

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*Chairperson Jason Thompson, Vice Chairperson Julie Granthen*  
*Members: Darlene Janulis, Kelly Lyons, Susan McKinnon, Steve Reina,*  
*Dr. Richard Stamps, Tom Stephens, Charles Tischer*

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Thursday, August 9, 2018

7:00 PM

1000 Rochester Hills Drive

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#### CALL TO ORDER

*Chairperson Thompson called the Regular Meeting to order at 7:00 p.m. in the Auditorium.*

#### ROLL CALL

**Present** 7 - Darlene Janulis, Kelly Lyons, Susan McKinnon, Steve Reina, Tom Stephens, Jason Thompson and Charles Tischer

**Absent** 2 - Julie Granthen and Richard Stamps

*Also Present: Kristen Kapelanski, Manager of Planning*  
*Kristine Kidorf, Kidorf Preservation Consulting*  
*Sandi DiSipio, Recording Secretary*

#### APPROVAL OF MINUTES

[2018-0320](#) March 8, 2018 Regular Meeting Minutes

**A motion was made by Lyons, seconded by Janulis, that this matter be Approved as Presented. The motion carried by the following vote:**

**Aye** 7 - Janulis, Lyons, McKinnon, Reina, Stephens, Thompson and Tischer

**Absent** 2 - Granthen and Stamps

#### COMMUNICATIONS

*No communications were brought forward.*

#### PUBLIC COMMENT for Items not on the Agenda

*Mr. Paul Miller of 1021 Harding Road, a designated historic farmhouse that suffered a fire last Thanksgiving, came forward. He said he paid a long-term structural engineer \$600 to walk through the house a few days after the fire to share his expertise. He said that the house was as structurally sound as it had ever been, however he was unwilling to complete a written report. The engineer said the double brick load-bearing construction was never a good construction*

method to begin with. A lot of people had done it back then, but they would never do anything like that now. The first floor joists are all fine and not scorched. Some of the second floor joists are charred, none are burned through. The roof was where the fire got up in the attic quickly. The interior walls were balloon frame, but all the load-bearing walls were double brick. When the heating system was installed they ran the boiler pipes through holes in the floor. The water and drain pipes for the second floor bathroom were boxed off in an area inside the room, so that was open from the basement up to the attic. Chairperson Thompson asked if there was something Mr. Miller was looking for from the Commission. Mr. Miller said the house is just as sound as was before the fire, despite there was a fire and some of the roof is missing. Last week he received a letter from the Building Department saying the house had to be demolished within seven days or else. He doesn't want to tear the house down and thinks the community deserves to have the house if it can be saved. He just wanted to report the house has been damaged, he's working on it, but the Building Department has told him he's not allowed to do any repair until he gets a structural engineer report. He has not found an engineer that is willing to do the report. He's hopeful he can work with staff and the Commission in terms of redoing the house. Because the house was not built using current construction techniques, he doesn't think that's the best way to proceed. He's hoping to repair and restore the house. The Chair explained because Mr. Miller is not on the agenda, there's nothing the Commission can proceed with. At this point, it sounds like he needs to get with staff and see if there's anything he can do, and get on a future agenda. Ms. Kapelanski commented staff would need to see if Mr. Miller has plans to repair the house, some samples of material and pictures of what he plans to do to enact the repairs. Before this, he needs to get with Building and get the structural engineer report back. Staff can continue to work with him to get these items in order, he needs to continue to work with the Building Department, and then appear again before the HDC for approval. Mr. Miller was thanked for his update.

## NEW BUSINESS

2018-0321

### FILE HDC #18-013

Request: Certificate of Appropriateness - demolition of the existing house

Location: 1271 Washington Road

Parcel #: 15-01-302-003

Owner: Jay & Linda Eastman

*(Reference: Staff Report dated July 31, 2018, prepared by Kristine Kidorf, Kidorf Preservation Consulting, and associated documents were placed on file in the Planning and Economic Development Department and by reference becomes part of the record thereof.)*

Chairperson Thompson read the request for the record, stated the members have had an opportunity to review the information provided, and asked Ms. Kidorf if she had anything to add to her staff report. She had nothing to add to her report. The Chair invited the applicants to come forward, introduce themselves and summarize their request.

Jay and Linda Eastman, 1251 Washington Road, Rochester Hills, MI, the owner

*of the subject property and applicants, came forward, and introduced themselves. Mrs. Eastman commented they have lived in the historic district for 35 years and have one of the historic homes. They are proud of their home and maintain it very well. They added on to their home about 30 years ago and went through this same process for approval. They are very respectful of the Commission and its responsibilities. They love living where they live in the district and the community. Mr. Eastman's family lived there for 40+ years before they moved in the house. Their daughter will be buying the house from them once they build their new home at the 1271 Washington site. She mentioned that her husband served on the Historic Districts Commission for three years.*

*Mr. Reina thanked the applicants for coming before the Board and for his service to the HDC. He asked what the applicants want the Commission to approve.*

*Mrs. Eastman indicated they would like to demolish the house rather than try and restore it. Initially they thought they might be able to restore it, but there are flaws. They would like a one-story home with no steps because of health issues. That was the deal breaker for not restoring the existing house - because it's on two different levels. They brought in their builder for his opinion. He looked through it twice and said that it will cost more to remodel than it would be to build new. This was a big consideration in their decision. She invited the members out to look at the property - it's beautiful and they want to take advantage of the bluff and move the house closer to the edge to be able to see and enjoy the river.*

*Mr. Eastman added that the house is truly non-contributing to the historic district. He understands the rules, will follow them with any building they do, and bring the plans to the Commission for approval.*

**MOTION** by Reina, seconded by Tischer, in the matter of HDC File 18-013, that the Historic Districts Commission **APPROVES** the request for a Certificate of Appropriateness for the demolition of the existing non-contributing house at 1271 Washington Road, in the Stoney Creek Historic District, Parcel Identification Number 15-01-302-033, with the following findings:

1. *The house is in the Stoney Creek Historic District and does not contribute to the historic character of the district;*

2. *The proposed demolition is in keeping with the Secretary of the Interior's Standards for Rehabilitation and Guidelines, where it is recommended to remove non-contributing features in historic districts and in particular standard number 9 as follows:*

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

*Ms. Lyons noted the approval does not include the contributing garage and mill*

race on the property - it is only for the house. Ms. Janulis also commented the applicants will need to return to the Commission for approval of the new structure.

**A motion was made by Reina, seconded by Tischer, that this matter be Approved. The motion carried by the following vote:**

**Aye** 7 - Janulis, Lyons, McKinnon, Reina, Stephens, Thompson and Tischer

**Absent** 2 - Granthen and Stamps

2018-0322

**FILE HDC #18-014**

Request: Certificate of Appropriateness - Replacement of fence and playground equipment and installation of two new doors

Location: 1812 Rochester Road

Parcel: 15-22-451-035

Owner: Stanley H. Finsilver

*(Reference: Staff Report dated July 31, 2018, prepared by Kristine Kidorf, Kidorf Preservation Consulting, and associated documents were placed on file in the Planning and Economic Development Department and by reference becomes part of the record thereof.)*

*Chairperson Thompson read the request for the record and asked the applicants to come forward. He then asked Ms. Kidorf for a summary of the staff report.*

*Ms. Kidorf indicated this is a little more complicated application than the last one. There's two things involved in this request, landscaping which is comprised of two components, and the alteration of the addition to the building. This building has the historic portion in the front, a 1987 non-contributing addition behind it, and a separate non-contributing building at the back of the property. On the south lawn next to the historic building, but also stretching back past the non-contributing addition, the applicant would like to replace the existing fence. That fence is a picket fence that was installed and approved by this Commission back in the 1990's, with the condition that it was a picket fence. The applicants would like to replace the fence that runs parallel to Rochester Road, and submitted three options for that section of the fence. The preferred option is a 6 foot tall privacy fence, option #2 is to construct a 6 foot tall white picket fence that runs parallel to Rochester Road, and option #3 is the same picket fence along Rochester and a portion of the south side. The south fence line, which sits on top of a retaining wall next to a parking lot for the adjacent retail - in options #1 and #2, the applicant proposed a 6 foot tall white privacy fence along the south property line, and in option #3, a portion of this wall could be a picket fence. Within the fenced-in enclosure they are proposing to remove the existing playground equipment and install new rubber mulch surface areas, new playground equipment, install a gazebo, install some artificial grass, new flowerbeds, paths and sandboxes. The gazebo would be well back by the non-contributing portion of the property. On the north side of the building, within the 1987 non-contributing addition, the applicant is proposing to install two standard size doors for emergency exit from the classrooms, which is a State requirement for the school proposed in the building.*

*Chairperson Thompson asked if the applicants would like to add anything.*

*Jason and Candace Sproat, owners of the KiddieKlub Childcare and Preschool, introduced themselves. Mr. Sproat indicated they currently run a daycare center at Crooks & Auburn and are expanding to a second location in this area. The fencing that was on site was a white wood picket fence that was constructed well, but hadn't been very well maintained. There's a pretty steep drop in some areas; 6 foot or so, so they are proposing a 6 foot high privacy fence all the way around, most importantly for the safety of the children, especially along Rochester Road. The second reason they'd like a privacy fence is so it will be closed off with no holes in it. The playground has to be approved by the State before they can open the childcare center. The fence that was there, the gaps were too large - there was formerly a childcare center that was operating there. He's not sure how that got approved for their licensing inspection. That, along with children sticking their hands through and possibly getting them stuck, is the reason for the proposed privacy fence. He also wants to be respectful of the tenant on the other side of the wall. He doesn't want toys or anything else to get tossed through the fence and create a mess outside the fence. Option #1 is the applicant's main goal, most importantly for the security of the children.*

*Mr. Reina asked if the applicant has to have insurance to run the business, to which Mr. Sproat replied yes. Mr. Reina asked if the fencing is tied into the insurance - does the insurance contemplate the applicant having fencing in order to protect the children? Mr. Sproat indicated the insurance will, but the fence is more importantly required by the State in any outdoor play areas.*

*Mr. Reina then commented the applicant provided three different options for the fence, and asked him what drives each of the options.*

*Mr. Sproat explained they prefer option #1, because the play area would be all enclosed and the children will not be able to stick their arms through or throw toys out of the fence. It is for the security of the children.*

*Ms. Lyons asked if there is a State height requirement for the fence. Mr. Sproat indicated the State height requirement is 48 inches. Ms. Lyons inquired why the applicant is requesting 6 feet. Mr. Sproat feels 48 inches is still low enough for someone to reach over the top and remove something or someone from the playground area. Mr. Sproat explained he has a 6 foot privacy fence encompassing the play area at his current daycare, which is in a strip mall in the back of the parking lot. They have the privacy fence in the back because there are other tenants in the building, and there are no security measures in place, i.e., cameras to monitor the areas.*

*Ms. Lyons then commented it wasn't clear to her in looking at the site plan, exactly where the fence currently is and where it is being proposed.*

*Mr. Sproat pointed out on the plan where the fence currently exists, from the back decking area all the way to the front corner, and across the east property line to the house. Ms. Lyons asked if the decking area was already enclosed and therefore doesn't need a fence. Mr. Sproat said the decking area comes*

*almost to the retaining wall between the properties, but there is less than a 3-1/2 inch gap. He would like to enclose this area as well.*

*Mrs. Sproat explained the decking area will be used differently than the playground is. The way they designed it was so they could have multiple classrooms outside at one time. The State has a lot of specifications on the ratios, the age of the children, etc. It's designed for an infant/toddler area, and an area for older children. They will put up another gate on the deck so that the kids don't have access to the deck.*

*Ms. Lyons asked if the applicants had any photos of the existing fence. Mr. Sproat replied no - they actually removed the existing fence due to it being structurally unsound.*

*Ms. Janulis referred to the Staff Report and asked if she understood correctly - that option #1 would not meet the Secretary of Interior Standards, but options #2 and #3 would. Ms. Kidorf confirmed this is correct. Ms. Janulis said this answers Mr. Reina's question about the different options.*

*Mr. Reina explained his question was in relationship to what drove the property owner's preference for option #1 over #2 and #3.*

*Ms. Janulis feels option #2 would be a good compromise. When the Commission can, they want to maintain the Secretary of Interior Standards - and yet the safety of the children is very important, and how important a privacy fence would be. She feels option #2 would be a fair compromise as far as meeting the requirements, yet giving privacy and asked how Mr. Reina felt about it.*

*Mr. Sproat asked why the Secretary of Interior Standards made the decision not to allow the privacy fence.*

*Mr. Kidorf explained the Secretary of Interior Standards require that new additions, even though this is not a building addition, it is considered an addition of the historic district, be compatible with the character of the historic building that exists. A white solid vinyl fence is not period appropriate for this house that was constructed in the early 1900's - there never would have been any kind of fence like this. And because it's 6 feet tall, and a solid surface, it's really not a compatible addition to the side of the historic house. So by putting in the picket fence, which allows some transparency, it becomes a slightly more compatible. A 6 foot high fence really is not compatible, but because of the transparency, it allows it to be a little more compatible with the historic character of the house. You can still see through it to see the side of the historic house.*

*Mr. Reina said we want to be careful and not inflammatory in our language, and asked the applicant when he's talking about his preferred fencing, he's not just envisioning physical hazards that may happen from a child sticking their arm through an open area? Mr. Sproat said no. Mr. Reina commented If someone who preyed on children was walking by looking through a picket fence, will he have a better view of the children inside the play area, than if he's walking by a solid fence? Mr. Sproat believes so. Mr. Reina asked if the applicant believes*

*this because in the case of a solid fence, there's no area for him to look through? Mr. Sproat responded true. Mr. Reina doesn't want to put words in the applicant's mouth, but when he assessed his preference for the different options, did this figure into the mix? Mr. Sproat feels overall this figures into the security purpose of the privacy fencing. Mr. Reina just wants to make the record clear about what the purpose of the fence is. Mr. Sproat feels in terms of the historical aspect of the building and what you visually see, there had been some modifications to the building in the past 20-30 years in terms of vinyl siding and air conditioner units. He feels the fence is another modification to beautify the property as well as keeping it secure for the children.*

*Mr. Stephens said the applicant stated earlier that the previous tenants had a daycare also. Mrs. Sproat indicated yes, but they have been closed for about two years. Mr. Stephens then asked if the applicants knew how long the daycare was there - so he knows how long the fence was on-site in the condition that it was. Mr. Sproat commented the Staff Report indicates the fence was approved by the Commission in 2012.*

*Ms. Lyons asked if the fence will go in front of the house at all?*

*Mrs. Sproat said no, it will stop right at the corner of the house, as they don't want to compromise the integrity of the building. She commented they didn't know it was part of the historic society when they signed up for the building, but learning this was pretty cool. Her husband has researched the house to learn about it. They are proud to be a part of the history, and excited to teach the children about the building and how old it is. But, protecting the kids is their number one priority and Rochester Road is a very busy road with a lot of people walking on it, and the fence will prevent anyone from coming up and bothering the kids or the staff.*

*Ms. Lyons explained typically the Commission sees submission drawings that are a little more clear on where the fence is proposed, and elevations. She commented the Board's job is to look at changing the character from the street - so a street view would be very important for this. She pulled up the building on Google Maps, and the fence was still in place. She suggested the applicant submit a street view showing exactly how tall the fence would be - this would be very helpful because the Board needs to follow the Secretary of Interior Guidelines, as the members took an oath to do this. Ms. Lyons indicated she works with children and understands the applicant's concerns. For the other Commissioners, Ms. Lyons explained her concern is that the Board doesn't have enough visual detail of what we are actually looking at in terms of its location and the comps in terms of elevation. She does not have a problem with the proposed door changes, just the fence.*

*Ms. McKinnon agrees with Ms. Lyons' comments, and said as she's relatively new to the Board, she's not as good at looking at some of the materials we have here, but seeing a picture of the house, she begins to understand what we're talking about and would like a little more clarification. She's a former teacher and children's safety is paramount to her, but the applicant is in a little conundrum where they have to deal with the historic aspects of the building. She would be happy if everything was a 6 foot wall, and feels what the applicant*

*is trying to do is the best compromise, but would like to see a little more information.*

*Mr. Reina commented that as a lawyer, he's had the sad experience with being involved in sexual conduct cases. Criminal sexual conduct is any form of aberrant or unwanted sexual activity between a predator and their prey. Just like pulling up a Google street view and looking at the subject property, we can pull up street view and look up property anywhere and find out how many pedophiles are waiting nearby to make children their next victim. For him, there's no question - if there's a one in a million chance that this would improve the safety of some unnamed child two days from now or twenty years from now, he would want to err on the side of caution. Whatever standards the Secretary of Interior has promulgated respecting the preservation of property, pale in comparison to the preservation and protection of our children. He feels the children are the true job that the Commission has to protect. He thanked the applicant for his eloquence and how well he stated his position, and has a Motion when the Commission is ready.*

*Chairperson Thompson agreed with Ms. Lyons and Ms. McKinnon, and said it would be easier if he could visualize the request, but what was submitted is not the clearest. He would like to see more info on the material before he votes on the request.*

*Mr. Sproat explained when he initially signed the lease for the property, he was unaware it was a historical district. They initially started working on the project, planning for the childcare facility. Then they were told it was historic and they had to go in front of the HDC to get approval for the changes. And then something happened, and they were told they didn't have to appear before the HDC, and then they were told again they had to get approval for the project from the Commission. That is why the plans aren't as clear and well put together as they would have liked, as they had about three days to try to pull the information together.*

*Ms. Lyons asked if the applicants are using separate contractors for the doors and the fencing. Mr. Sproat indicated they are separate contractors. Ms. Lyons asked if it would be helpful to have an approval on the doors. The applicants replied yes.*

*Ms. Kapelanski referred to a Google map of the property, and said she believes the proposed fencing will follow the same path as what is shown on the photo. The applicants agreed. Ms. Kapelanski suggested if the Board is looking for additional information on visualizing the fence, she said it might be helpful to give specific instructions on what the members are looking to see; e.g., a rendering, etc.*

*Ms. Lyons explained she is looking for a rendering that specifically designates the height of what is proposed in comparison to the house, because the Commission doesn't know how high the previous fence was. Mrs. Sproat indicated the old fence was 4 feet high.*

**MOTION** by Reina, seconded by Lyons, in the matter of HDC File 18-014, that

the Historic Districts Commission **APPROVES** the request for a Certificate of Appropriateness for the replacement of the playground equipment and installation of two new doors on the north elevation for the single-resource historic district located at 1812 S. Rochester Road, Parcel Identification Number 15-22-451-035, with the following findings and conditions:

Findings:

1. The replacement of the playground equipment, including the addition of the gazebo and change of lawn surfaces, and addition of two new door openings will not impact or alter the contributing resource on the property.

2. The proposed playground equipment and installation of two doors in the contributing resource are in keeping with the Secretary of the Interior's Standard for Rehabilitation and Guidelines Numbers 9 and 10 as follows:

9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Condition:

The applicant was asked to provide more documentation in relation to the fencing proposed on the eastern boundary along Rochester Road.

Discussion on the Motion:

Mr. Sproat indicated they signed their lease agreement effective May 15, 2018. In that lease agreement, they had given the landlord, who is helping complete the construction on the interior, a few months to put everything together. In the meantime they plan on working on the playground. Their goal is to open by September 3rd - they've already taken in registrations for families that need to start on this timeframe. Is there any way to get a decision sooner than the next meeting?

The Commission agreed to hold a special meeting before the September 13th regular meeting. Staff will assure the availability of a quorum, and come up with the date.

Mr. Sproat wants to be clear about what is expected of them - there is a picture of the fence in the packet, so he just needs to put that fence on the photo and show the elevation? He will put the 6-foot privacy and picket fence on the photo so show the elevations.

Ms. Lyons suggested that if the fence sticks up taller than the fence across the front of the house, the applicants might want to show a 5-foot fence as an option too, and give the Commission some choices. She explained the Board's job is to maintain the character, especially from the street view. There so much addition to the historic portion, another building, and a parking lot alongside the building - which is all OK because it doesn't affect the historical nature of the

character of the house. This is what the Commission is obligated to do, and they can't make that decision based on the information provided for the fence. The Motion that was set forth and seconded, is to go forward with the play structures and the doors, which keeps the applicant's project moving forward, and just have to come back for the fence.

Mr. Sproat asked if this is just the fencing along Rochester Road -- and if they could begin fencing installation along the south side of the retaining wall portion.

Mrs. Sproat explained they can't move forward with the playground until the fence is in on the south side. To put the turf in and other things, they need that boundary to be up.

Ms. Janulis suggested an amendment to the Motion to include the 6-foot privacy fence on the south side as noted by the applicant in Option #2.

Ms. Lyons asked for clarification that the staff report indicated this would be acceptable. Ms. Kidorf indicated this is correct.

Mr. Reina asked if the applicant installs the southern perimeter with the privacy fence, and the Board approves the picket fence along Rochester Road, would that affect the completion of the fence in any way?

The applicant said no, they would still be able to complete the fence installation.

Amended Motion:

**MOTION** by Reina, seconded by Lyons, in the matter of HDC File 18-014, that the Historic Districts Commission **APPROVES** the request for a Certificate of Appropriateness for the replacement of the playground equipment and installation of two new doors on the north elevation for the single-resource historic district located at 1812 S. Rochester Road, Parcel Identification Number 15-22-451-035, with the following findings and conditions:

Findings:

1. The replacement of the playground equipment, including the addition of the gazebo and change of lawn surfaces, and addition of two new door openings will not impact or alter the contributing resource on the property.

2. The proposed playground equipment and installation of two doors in the contributing resource are in keeping with the Secretary of the Interior's Standard for Rehabilitation and Guidelines Numbers 9 and 10 as follows:

9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Condition:

The Commission also approves the 6-foot privacy fence along the southern perimeter of the property only, as outlined by the applicant in Option #2. The applicant was asked to provide more documentation in relation to the fencing proposed on the eastern boundary along Rochester Road.

**A motion was made by Reina, seconded by Lyons, that this matter be Approved. The motion carried by the following vote:**

**Aye** 7 - Janulis, Lyons, McKinnon, Reina, Stephens, Thompson and Tischer

**Absent** 2 - Granthen and Stamps

## ANY OTHER BUSINESS

*No other business was brought forward for discussion.*

## NEXT MEETING DATE

*The next Regular Meeting is scheduled for September 13, 2018. The Commission will hold a special meeting as soon as it can be arranged.*

## ADJOURNMENT

*Hearing no further business, and upon Motion by Janulis, seconded by Tischer, the Chair adjourned the Regular Meeting at 7:55 p.m.*

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*Jason Thompson, Chairperson  
Historic Districts Commission  
City of Rochester Hills*

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*Sandi DiSipio, Recording Secretary*